

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY 4 D.C.  
05 JUN -9 PM 2:30  
ROBERT R. DI TROLIO  
CLERK OF U.S. DIST. CT.  
W.D. OF TN.-JACKSON

UNITED STATES OF AMERICA,

Plaintiff,

VS.

No. 04-10071-T

BILLY GAIL BIRMINGHAM,

Defendant.

ORDER CONTINUING TRIAL AND REPORT DATE  
AND EXCLUDING DELAY

Upon motion of counsel for defendant Billy Gail Birmingham, without objection from the government and for good cause shown, the report date which is scheduled for June 10, 2005, and the trial date which is currently scheduled for June 15, 2005, are hereby continued. Defendant contends that additional time is needed for preparation for the trial.

The court finds that the defendant's need for a continuance for additional preparation outweighs the best interests of the public and the defendant in a speedy trial; therefore, the ends of justice will be served by granting a continuance in order to allow the defendant more time to prepare for trial. Accordingly, the trial is continued from June 15, 2005, to July 13, 2005, at 9:30 A.M. The resulting period of delay, from June 15, 2005, to July 13, 2005, is excluded pursuant to 18 U.S.C. § 3161(h)(8)(A).

The report/motion date has been reset for July 6, 2005, at 8:30 a.m.

IT IS SO ORDERED.

James D. Todd  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE  
9 June 2005  
DATE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 1:04-CR-10071 was distributed by fax, mail, or direct printing on June 10, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT